

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

PRECISION FRANCHISING LLC,)	
)	
Plaintiff,)	
)	No. 1:11-cv-4 (AJT/TRJ)
v.)	
)	
CARY LENE-TARANGO, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

ORDER

This matter is before the Court on a Report and Recommendation (Doc. No. 20) of the Magistrate Judge recommending that defendant Cary Lene-Tarango's ("Tarango's") Motion to Dismiss (Doc. No. 13) be denied, and that plaintiff's Motion for Default Judgment (Doc. No. 9) be granted in part as to defendant Lene Corp. The Court has reviewed the Report and Recommendation, defendant Tarango's response thereto, and plaintiff's opposition to Tarango's response. The Court has also conducted a *de novo* review of the record in this case and, based on that *de novo* review, adopts and incorporates the findings and recommendations of the Magistrate Judge. Accordingly, it is hereby

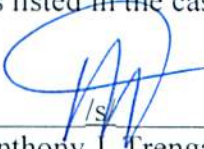
ORDERED that defendant Tarango's Motion to Dismiss (Doc. No. 13) be, and the same hereby is, DENIED. Defendant Tarango shall file an Answer to plaintiff's Complaint within 14 days of the date of this Order; and it is further

ORDERED that plaintiff's Motion for Default Judgment (Doc. No. 9) be, and the same hereby is, GRANTED in part and DENIED in part as to defendant Lene Corp. A default judgment shall be entered against defendant Lene Corp. and in favor of plaintiff

in an amount equal to defendant Lene Corp.'s profits during the period of infringement, to be determined, and the plaintiff's costs in bringing this action. Plaintiff's motion for trebled damages, injunctive relief and attorney's fees is DENIED; and it is further

ORDERED that within 14 days of the date of this Order defendant Lene Corp. file and serve an accounting of its profits during the period of infringement. Any disputes regarding the adequacy of the accounting are REFERRED to the Magistrate Judge. Plaintiff shall submit, as required, an appropriate bill of costs upon the resolution of any issues related to the accounting.

The Clerk is directed to forward copies of this Order to all counsel of record and to defendant Cary Lene-Tarango, *pro se*, at the address listed in the case file.



/s/ Anthony J. Trenga
United States District Judge

Alexandria, Virginia
August 8, 2011